

COMPENSATION BOARD DOCKET #04/03

SEPTEMBER 22, 2003

304-04-03: SHERIFFS & REGIONAL JAILS

OLD BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
PORTSMOUTH CITY	SHERIFF	7/23/03 – OFFICER REQUESTS 10 ADDITIONAL EC7 POSITIONS DUE TO CONTINUED RISE IN JAIL COUNT. PER LIDS DOCUMENTATION LOCALITY JAIL COUNT HAS AVERAGED 472.4 OVER THE PAST 12 MONTHS EVEN THOUGH RATED CAPACITY IS 288. AUGUST 20, 2003 – THE COMPENSATION BOARD DEFERRED THIS ITEM UNTIL SEPTEMBER 17, 2003 PENDING REVIEW BY COMPENSATION BOARD STAFF.	\$213,849 AUG THRU JUNE 2004	Following a conversation with Compensation Board Chairman Frank Drew on August 20, 2003, Portsmouth Sheriff Gary Waters asked that no further action be taken on this matter.

304-04-03: SHERIFFS & REGIONAL JAILS

NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
NORFOLK CITY	SHERIFF	8/28/03 – OFFICER REQUESTS ADDITIONAL EMERGENCY CORRECTIONAL OFFICERS BASED ON PRISONER POPULATION. SHERIFF CITES FEBRUARY ADP OF 1412 AND AUGUST 28 ADP OF 1631. BASED ON 6-MONTH (FEB 03 – JULY 03) ADP OF 1412, OPERATING CAPACITY OF 833, AND 352 CORRECTIONAL OFFICERS, JAIL IS DUE 41 ADDITIONAL OFFICERS. WITH AN ADP OF 1412 AND OPERATING CAPACITY OF 833, JAIL IS 69.5% ABOVE CAPACITY.	\$956,489.00	Not approved, as request not in accordance with Compensation Board policy.

304-04-03: SHERIFFS & REGIONAL JAILS

NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
PITTSYLVANIA COUNTY	SHERIFF	8/27/03 – OFFICER IS REQUESTING A REVIEW OF MANPOWER, IN HIS JAIL AND ADDITIONAL EMERGENCY CORRECTIONAL OFFICERS AS MAY BE DUE PER STAFFING STANDARDS. OPERATING CAPACITY IS 36; WITH AN AVERAGE DAILY POPULATION OF 142 (FEBRUARY 2003-JULY 2003), THE JAIL IS 294% ABOVE CAPACITY AND IS DUE 2.20 CORRECTIONS POSITIONS.	46658.00	Approved as an exception to policy, based upon the specific conditions stated by the officer and allocated 2 emergency correctional officers. This action is a one-time approval based upon the specific overcrowding conditions in the jail, and is subject to review during the annual budget process. Positions will be removed if the overcrowding conditions are reduced or eliminated per paragraph E, Item 64, Chapter 1042, 2003 Acts of Assembly.

320-04-03: COMMONWEALTH'S ATTORNEYS

NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
RICHMOND CITY	COMMONWEALTH'S ATTORNEY	8-14-2003 Officer requests an exception to the 60-day reimbursement policy. Officer states Substitute Prosecutor did not submit the paperwork in the appropriate amount of time.	\$1,100.00	Approved as an exception to policy; Substitute Prosecutor is advised that no further exception will be granted.

Prosecutor	Expenses From - To	Defendant	Total
N Fisher	05-05-03 / 06-30-03	Akeena Cater	\$1,100.00
		Total	\$1,100.00

732-04-03: TREASURERS

NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
NONE.				

734-04-03: COMMISSIONERS OF THE REVENUE

NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
NONE.				

321-04-03: CIRCUIT COURT CLERKS

NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
NEWPORT NEWS CITY	CIRCUIT COURT CLERK	8-19-2003 Officer requests to increase salaries to match locality budget. Total Cost to increase @ \$18,618. Officer has Turnover Funds available to fund increases @ \$29,810.	-0-	Approved as an exception to policy, based upon the specific conditions stated by the officer.

Newport News City Clerk (continued)

Position	Class	Budgeted Salary	Salary Request	Cost to Increase	Current Turnover Available
00005	DCIV	31,229	31,229	0.00	25,718.00
00011	CDCII	55,694	58,228	(2,534.00)	
00001	CLERK	107,875	107,875	0.00	
00021	DCI	22,364	23,383	(1,019.00)	
00012	DCI	22,364	23,383	(1,019.00)	
00022	DCI	20,010	20,010	0.00	2,354.00
00027	DCI	20,460	20,919	(459.00)	
00018	DCI	20,010	20,460	(450.00)	
00017	DCI	21,871	22,865	(994.00)	
00020	DCI	20,010	0	0.00	2,354.00
00016	DCII	26,723	27,940	(1,217.00)	
00004	DCII	24,997	24,448	549.00	
00019	DCII	23,909	24,448	(539.00)	1,088.00
00010	DCII	24,997	25,561	(564.00)	
00013	DCII	27,940	28,568	(628.00)	
00025	DCIII	27,940	29,210	(1,270.00)	
00003	DCIII	29,210	29,869	(659.00)	
00007	DCIII	29,210	29,869	(659.00)	
00024	DCIV	32,649	33,386	(737.00)	
00015	DCIV	32,649	33,386	(737.00)	
00002	DCIV	31,229	31,931	(702.00)	
00009	DCIV	32,649	33,386	(737.00)	
00026	DCIV	32,649	33,386	(737.00)	
00014	DCIV	39,890	41,705	(1,815.00)	
00008	DCIV	38,153	39,011	(858.00)	
00006	GOC	18,306	19,139	(833.00)	
00023	DCI	20,010	20,010	0.00	(1,704.00)

Cost to Increase Salaries

(18,618.00)

29,810.00

OTHER MATTERS

NEW BUSINESS:

	<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
1.	MEETING MINUTES	COMPENSATION BOARD	Staff presents minutes for approval as follows: Docket #04/02	N/A	Approved.
2.	MONTHLY JAIL AUDIT ACTIVITY STATUS REPORT	COMPENSATION BOARD	Staff presents monthly Jail Audit Activity Status Report.	N/A	Noted.
3.	AUDIT STATUS REPORT	COMPENSATION BOARD	Staff presents the Audit Status Report.	N/A	Noted.
4.	AUDIT SUMMARY	COMPENSATION BOARD	Staff presents a summary of audits completed from July 2002 to June 2003.	N/A	Noted.
5.	DRAFT FY02 JAIL COST REPORT	COMPENSATION BOARD	Staff presents DRAFT FY02 Jail Cost Report.	N/A	Approved.

OTHER MATTERS

NEW BUSINESS:

	<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
6.	ALTERNATIVE SENTENCING	COMPENSATION BOARD	<p>Item 432, C4, 2003 Acts of Assembly, requires the Secretary of Public Safety, with the assistance of DCJS and the Compensation Board to develop a pilot program for alternative sentencing of nonviolent misdemeanants and local responsible felons who are serving six months or less in jail. This item also requires the Secretary of Public Safety to report to Senate Finance and House Appropriations, by December 1, 2003, as to the progress of implementation of the pilot program. Item 67.L., authorizes the Board to transfer up to \$1,500,000 to DCJS for reimbursement to localities for inmates who participate in the pilot program. Staff has met with Barry Green, Assistant Secretary of Public Safety, DCJS staff, and staff from two Community Criminal Justice Services Boards to discuss development of a pilot program. DCJS will take the lead role in developing a program and finding participants for the pilots. At this point I do not think we will have to transfer anywhere near \$1,500,000, as that would represent an average daily population (ADP) of 1,027 at \$4.00 per day in the program. I suggest we set aside \$100,000, which equates to a yearly ADP of 68 for the implementation of the pilots. As implementation has not begun, this amount could cover up to twice the ADP in the current year. If we find the pilots are accepting even more inmates into the program, we can recommend an increase in the amount set aside for the program.</p>	\$100,000	Approved.

OTHER MATTERS

NEW BUSINESS:

	<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
7.	TECHNOLOGY TRUST FUND COLLECTIONS § 17.1 – 279	CIRCUIT COURT CLERKS	<u>COLLECTIONS:</u> FY04 YTD collections total \$1,649,922.17. FY03 collections for a similar period of time totaled \$1,166,167.33. This represents a 41.48% increase in collections over last fiscal year. <u>EXPENDITURES:</u> FY04 budget requests are being considered at the September Board meeting. <u>PROJECTED:</u> Based on YTD collections, \$9,899,533.02 will be collected in FY04. This would represent a 24.98% increase over last Fiscal year.	N/A	Noted.
8.	DRAFT FINES AND FEES REPORT	COMPENSATION BOARD	Staff presents draft FY03 Fines and Fees Report.	N/A	Approved as an exposure draft.

FOR YOUR INFORMATION

NEW BUSINESS:

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NONE.				

**CLOSED MEETING
COMPENSATION BOARD DOCKET #04/03
SEPTEMBER 22, 2003**

No closed meeting.

1) **MOTION FOR “CLOSED MEETING” by Chairman Frank Drew. (_____ seconded the motion).**

- ☐ Under the provisions of Section 2.1-344.A.1, Code of Virginia, I move that the Compensation Board hold a **Closed Meeting** to discuss personnel issues—discussion of interview applicants, assignment, appointment, promotion, performance, salaries, discipline or resignation of specific ricers, appointees or employees.
- ☐ Under the provisions of Section 2.1-344.A.7, Code of Virginia, I move that the Compensation Board hold a **Closed Meeting** to obtain consultation with legal counsel as to actual or “probable litigation” concerning

2) **Chairman Frank Drew: I move to return to open session. (_____ seconded the motion).**

When the closed meeting is complete, the public body must ***immediately*** reconvene in open session and take a recorded vote of its members in roll call fashion. The members must certify that they discussed: **only public business exempt from the Act,**

Frank Drew, Chairman	Yes_____	No_____
Walter J. Kucharski, Member	Yes_____	No_____
Kenneth W. Thorson, Member	Yes_____	No_____

AND

only public business matters identified in the motion to convene the closed meeting.

Frank Drew, Chairman	Yes_____	No_____
Walter J. Kucharski, Member	Yes_____	No_____
Kenneth W. Thorson, Member	Yes_____	No_____

Any member who cannot certify must state the specific details of the unauthorized discussion on the record. That record can be used as evidence in a lawsuit brought against the public body for violating the Act.

**H A N D C A R R Y
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SEPTEMBER 22, 2003**

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NEW BUSINESS:

LOCALITY

OFFICER

REQUEST

TOTAL COST

COMPENSATION BOARD ACTION

NONE.

320-04-03: COMMONWEALTH’S ATTORNEYS

OLD BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
WASHINGTON COUNTY	COMMONWEALTH'S ATTORNEY	8-15-2003 Officer requests to transfer Annual Vacant Funds from position #1 AAll @ \$26,722 to Temporary Funds for FY04. AT THEIR AUGUST 20, 2003 MEETING, THE COMPENSATION BOARD DEFERRED ACTION ON THIS REQUEST.	-0-	Approved.

320-04-03: COMMONWEALTH’S ATTORNEYS

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NONE.				

732-04-03: TREASURERS

NEW BUSINESS:

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NONE.				

734-04-03: COMMISSIONERS OF THE REVENUE

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321-04-03: CIRCUIT COURT CLERKS

NEW BUSINESS:

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NONE.				

OTHER MATTERS

NEW BUSINESS:

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1.	TECHNOLOGY TRUST FUND COLLECTIONS § 17.1 – 279	CIRCUIT COURT CLERKS	<p><u>COLLECTIONS:</u> FY04 YTD collections total \$1,649,922.17. FY03 collections for a similar period of time totaled \$1,166,167.33. This represents a 41.48% increase in collections over last fiscal year.</p> <p><u>EXPENDITURES:</u> FY04 budget requests are being considered at the September Board meeting.</p> <p><u>PROJECTED:</u> Based on YTD collections, \$9,899,533.02 will be collected. This would represent a 24.98% increase over last Fiscal year.</p>	N/A	Noted.
2.	FY04 TTF BUDGET REQUESTS	CIRCUIT COURT CLERKS	<p>Staff presents FY03 Technology Trust Fund budget requests for Board action:</p> <ul style="list-style-type: none"> Approval of \$2,687,618 in \$2 TTF money for 99 Clerks (represents 55.05% TTF requests per DPB) Original request was \$4,882,305 Approval of \$495,845 \$2 TTF money to be carried over to the next fiscal year for 13 Clerks 9 Clerks offices either did not request funding or did not have funding available to make a request 	\$2,687,618 (NGF)	<p>This is to inform you of action taken by the Compensation Board at its September 22, 2003 meeting regarding your request for Technology Trust Funds (TTF).</p> <p>Section 17.1-279 of the Code of Virginia sets out the process by law that the Compensation Board must follow to allocate these funds for your use. In each Fiscal Year, the Compensation Board budgets to your office the \$2 portion of TTF revenue collected in the prior fiscal year, i.e. the revenue you collected last year (FY03) is to be budgeted for your use in the current year (FY04). The remaining \$1 portion of TTF revenue collected is used for administrative costs, and has been used to date to defray as much as possible the budget reductions that have been imposed over the last couple of years. However, it has been necessary to meet some of the reductions from the \$2 portion of TTF.</p> <p>In order for the Compensation Board to allocate funds to your office, prior year cash collections must be allotted to the Compensation Board by the Department of Planning and Budget (DPB) with the approval of the Secretary of Finance. We requested an appropriation of \$4,882,305 - the full amount of requests from all Clerks' offices for the allocation of TTF for FY04. However, DPB has only approved a maximum of \$2,687,618 for allocation to your offices, requiring that existing cash be used to cover the planned FY04 TTF budget reduction of almost \$4 million. The</p>

FOR YOUR INFORMATION

NEW BUSINESS:

LOCALITY

OFFICER

REQUEST

TOTAL COST

COMPENSATION BOARD ACTION

NONE.

Compensation Board has been assured by DPB that as FY04 collections accumulate to cover this reduction, additional funds will be available for allocation to your office this year. (A full accounting of available balances of TTF money is available on our website at <http://www.scb.state.va.us/budgets.html>)

The board took the following action on your request: Requests for all Clerks' offices for the allocation of TTF totaled \$4,882,305 for FY04, and the Compensation Board has approved a total of \$2,687,618, or approximately 55% of each request. All requests to carry forward TTF for the future (totaling \$495,845) have been approved. As it will take approximately 3 to 5 work days for staff to update SNIP to reflect these actions, a spreadsheet has been placed on our website (<http://www.scb.state.va.us/budgets.html>) showing the specific amount approved for your office at this time. The September 2003, SNIP report will reflect the budgeted amount approved for your locality on the "Equipment/Services" screen (Selection 4).

The Compensation Board will renew its request to DPB to appropriate the total amount of funds necessary to meet your full request. We are hopeful that current year (FY04) revenue will be sufficient by next month to allow approval of our request, thus allowing the Board to approve the remainder of your request at its October 15 meeting.

(As this is a broadcast email, please do not respond to it by clicking on "reply". Please contact Lynn Bailey (lbailey@scb.state.va.us; 804-786-0786x202) or Richard Lampman (rlampman@scb.state.va.us; 804-786-0786x215) if you have any questions.